



**STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS  
DEPARTMENT OF ENVIRONMENTAL MANAGEMENT  
OFFICE OF AIR RESOURCES**

**OPERATING PERMIT**

*Albin Manufacturing, Inc.*

**PERMIT NO. RI-36-04(R1)**

(Expiration date: April 7, 2009)

**Pursuant to the provisions of Air Pollution Control Regulation No. 29, this operating permit is issued to:**

Albin Manufacturing, Inc.  
226 West Shore Road  
Portsmouth, RI 02871

**This permit shall be effective from the date of its issuance. All terms and conditions of the permit are enforceable by EPA and citizens under the federal Clean Air Act, 42 U.S.C. 7401, et seq., unless specifically designated as not federally enforceable.**

**Stephen Majkut, Chief  
Office of Air Resources**

**Date of revision: 1 April 2005**

## TABLE OF CONTENTS

<b><u>SECTION</u></b>	<b><u>PAGE</u></b>
<b>I. SOURCE SPECIFIC CONDITIONS</b> .....	1
Requirements for Emission Unit P001 .....	1
Requirements for Emission Unit P002 .....	2
Requirements for Emission Unit P004 .....	14
Requirements for Emission Units B001, B002, and B003 .....	16
Requirements for Emission Units P005 and P006 .....	18
Facility Requirements .....	19
<b>II. GENERAL CONDITIONS</b> .....	22
Annual Emissions Fee Payment .....	22
Permit Renewal and Expiration .....	22
Transfer of Ownership or Operation .....	22
Property Rights.....	22
Submissions.....	23
Inspection and Entry .....	23
Compliance.....	24
Excess Emissions Due to an Emergency.....	24
Duty to Provide Information.....	25
Duty to Supplement .....	25
Reopening for Cause.....	25
Severability Clause.....	26
Off-Permit Changes .....	26
Section 502(b)(10) Changes .....	27
Emissions Trading.....	28
Emission of Air Contaminants Detrimental to Person or Property .....	28
Odors.....	28
Visible Emissions .....	28
Open Fires .....	29
Construction Permits.....	29
Sulfur in Fuel.....	29
Air Pollution Episodes .....	30
Fugitive Dust .....	31
Compliance Certifications.....	31
Permit Shield .....	31
Recordkeeping.....	32
Reporting .....	33
Credible Evidence .....	34
Emission Statements .....	34
Miscellaneous Conditions.....	35
<b>III. SPECIAL CONDITIONS</b> .....	37
Ozone-depleting Substances .....	37
Prevention of Accidental Releases .....	38

## SECTION I. SOURCE SPECIFIC CONDITIONS

### A. Requirements for Emission Unit P001

The following requirements are applicable to:

- Emission Unit P001, which consists of the fiberglass boat manufacturing operations where hand and spray lay up and vacuum bagging methods are used to manufacture fiberglass hulls, decks or boat parts. Resins and gel coats containing styrene are used in each process.

#### 1. Emission Limitations

- a. The emissions of styrene shall not exceed 40,000 pounds per year. [Air Toxics Approval No. AT-3625/05 (B)(4)] **[Not Federally Enforceable]**
- b. The emissions of styrene shall not exceed 85 pounds per hour. [Air Toxics Approval No. AT-3625/05 (B)(2)] **[Not Federally Enforceable]**
- c. The emissions of styrene shall not exceed 515 pounds per day. [Air Toxics Approval No. AT-3625/05 (B)(3)] **[Not Federally Enforceable]**

#### 2. Recordkeeping Requirements

- a. On an annual basis, the permittee shall maintain records of the total amount of styrene-containing resin that is purchased and the amount of this resin that is used in P001. [Air Toxics Approval No. AT-3625/05 (C)(1)] **[Not Federally Enforceable]**
- b. On an annual basis, the permittee shall determine the amount of styrene emitted to the atmosphere using the emission factors contained in the USEPA Compilation of Air Pollutant Emission Factors (AP-42). The permittee may also use other emission factors that are specific to the company's production process, with the approval from the Office of Air Resources. [Air Toxics Approval No. AT-3625/05 (C)(2)] **[Not Federally Enforceable]**

#### 3. Reporting Requirements

- a. The permittee shall submit the annual styrene emission estimates as part of its annual air pollution inventory report. [Air Toxics Approval No. AT-3625/05 (D)(2)] **[Not Federally Enforceable]**

### B. Requirements for Emission Unit P002

The following requirements are applicable to:

- Emission unit P002, which consists of the wood products manufacturing operations where wooden boat parts are coated, glued and manufactured. Particulate emissions from cutting and grinding are controlled by air pollution control device C001, which is a Trane Company Single Cyclone, Model No. 5a.

**1. Emission Limitations**

- a. The permittee shall limit VHAP emissions from P002 by using stains, washcoats, sealers, topcoats, basecoats, and enamels with VHAP contents no higher than 1.0 lb. VHAP/lb. solids, as applied; thinners for stains, sealers, and topcoats that contain no more than 10% VHAP by weight; and thinners for washcoats, basecoats, and enamels that contain no more than 3% VHAP by weight. [35.3.2(a)(1)]
- b. The permittee shall limit VHAP emissions from contact adhesives used in gluing operations as follows: [35.4.2]
  - (1) For foam adhesives used in products that meet the upholstered seating flammability requirements of California Technical Bulletin 116, 117, or 133, the Business and Institutional Furniture Manufacturers Association's (BIFMA's) X5.7, UFAC flammability testing, or any similar requirements from local, State, or Federal fire regulatory agencies, the VHAP content of the adhesive shall not exceed 1.8 lb. VHAP/lb. solids, as applied; [35.4.2(a)]
  - (2) For all other contact adhesives, including foam adhesives used in products that do not meet the standards presented in Condition I.B.1.c(1) of this permit, the VHAP content of the adhesive shall not exceed 1.0 lb. VHAP/lb. solids, as applied. [35.4.2(b)]
- c. Opacity

The permittee shall not emit into the atmosphere, any air contaminant, for a period or periods aggregating more than three minutes in any one hour, which is greater than or equal to 20 percent opacity. [1.2] Where the presence of uncombined water is the only reason for failure to meet this requirement, such failure shall not be a violation of this permit. [1.4]
- d. The emissions of toluene shall not exceed 18,000 pounds per year. [Air Toxics Approval No. AT-3625/05 (B)(8)] **[Not Federally Enforceable]**
- e. The emissions of toluene shall not exceed 100 pounds per day. [Air Toxics Approval No. AT-3625/05 (B)(7)] **[Not Federally Enforceable]**

- f. The emissions of toluene shall not exceed 17 pounds per hour. [Air Toxics Approval No. AT-3625/05 (B)(6)] [**Not Federally Enforceable**]
- g. The permittee shall not use cleaning or washoff solvents that contain any of the pollutants listed in Table 3 of Air Pollution Control Regulation No. 35 – Control of Volatile Organic Compounds and Volatile Hazardous Air Pollutants From Wood Products Manufacturing Operations in concentrations greater than 0.1%. [35.5.4(b)]

## 2. Operating Requirements

- a. C001 shall be operated according to its design specifications whenever P002 is in operation or is emitting air contaminants. [16.1]
- b. In the case of malfunction of C001, all reasonable measures shall be taken to assure resumption of the designed control efficiency as soon as possible. In the event that the malfunction of C001 is expected or may reasonably be expected to continue for longer than 24 hours and if the permittee wishes to operate P002 beyond that period, the Director shall be petitioned for a variance under Section 23-23-15 of the General Laws of Rhode Island, as amended. Such petition shall include, but is not limited to, the following: [16.2]
  - (1) Identification of the specific air pollution control system (i. e., C001,) and the source on which it is installed; (i. e., P002), [16.2(a)]
  - (2) The expected period of time that C001 will be malfunctioning or out of service; [16.2(b)]
  - (3) The nature and quantity of air contaminants likely to be emitted during said period, [16.2(c)]
  - (4) Measures that will be taken to minimize the length of said period, and [16.2(d)]
  - (5) The reasons that it would be impossible or impractical to cease the source operation during said period. [16.2(e)]
- c. The permittee shall maintain a written work practice implementation plan that defines work practices for each wood products manufacturing operation and addresses each of the topics specified in Conditions I.B.1.e and I.B.2.d through I.B.2.k of this permit. [35.5.1(a)]
- d. Operator Training Course

- (1) The permittee shall train all new and existing personnel, including contract personnel, who are involved in finishing, gluing, cleaning, or washoff operations, use of manufacturing equipment, or implementation of the requirements of this permit. [35.5.2(a)]
- (2) All personnel shall be trained upon hiring. All personnel shall be given refresher training annually. [35.5.2(b)]
- (3) Initial and refresher training shall include, at a minimum, the following topics: [35.5.2(c)]
  - (a) Appropriate application techniques; [35.5.2(c)(1)]
  - (b) Appropriate cleaning and washoff procedures; [35.5.2(c)(2)]
  - (c) Appropriate equipment setup and adjustment to minimize finishing material usage and overspray; and [35.5.2(c)(3)]
  - (d) Appropriate management of cleanup wastes. [35.5.2(c)(4)]

e. Equipment Leak Inspection and Repair

- (1) All equipment used to transfer or apply finishing materials, adhesives, or organic solvents shall be visually inspected for leaks at least once per month. [35.5.3(a)(1)]
- (2) A first attempt at repair shall be made no later than 3 calendar days after a leak is detected and final repairs shall be made within 10 calendar days, unless the leaking equipment is to be replaced by a new purchase, in which case repairs shall be completed within 3 months. [35.5.3(a)(2)]

f. Operation and Maintenance

- (1) At all times, including periods of startup, shutdown, and malfunction, the permittee shall operate and maintain any equipment associated with wood products manufacturing operations, including associated air pollution control equipment, in a manner consistent with good air pollution control practices for minimizing emissions. [35.5.3(b)(1)]
- (2) Malfunctions shall be corrected as soon as practicable after their occurrence in accordance with the startup, shutdown, and malfunction plan required in Condition I.B.2.f(4) of this permit. [35.5.3(b)(2)]

- (3) The Office of Air Resources will determine whether acceptable operation and maintenance procedures are being used, based on information which may include, but is not limited to, monitoring results, review of operation and maintenance procedures (including the startup, shutdown, and malfunction plan required in Condition I.B.2.f(4) of this permit), review of operation and maintenance records, and inspection of the facility. [35.5.3(b)(3)]
- (4) The permittee shall develop and implement a written startup, shutdown, and malfunction plan that describes, in detail, the procedures for operating and maintaining equipment associated with wood products manufacturing operations during periods of startup, shutdown, and malfunction and a program of corrective action for malfunctioning process and air pollution control equipment used to comply with this regulation. The facility's standard operating procedures (SOP) manual, an Occupational Safety and Health Administration (OSHA) or another plan can be used to fulfill this requirement, provided the plan meets all the requirements of this paragraph. Startup, shutdown, and malfunction plans shall be maintained at the facility and made available to the Office of Air Resources or the USEPA for review upon request and shall be revised if determined to be unacceptable. [35.5.3(b)(4)]
- (5) During periods of startup, shutdown, and malfunction, the permittee shall operate and maintain equipment associated with wood products manufacturing operations (including associated air pollution control equipment) in accordance with the procedures specified in the startup, shutdown, and malfunction plan developed according to the provisions of Condition I.B.2.f(4) of this permit. [35.5.3(b)(5)]

g. Storage Requirements

- (1) All finishing, gluing, cleaning, and washoff materials shall be stored in containers that are closed at all times except when material is being added or removed. [35.5.6]

h. Application Equipment Requirements

- (1) Conventional air spray guns shall not be used to apply finishing materials, except in the following situations: [35.5.7]
  - (a) When applying finishing materials that have a VOC content no greater than 1.0 lb VOC/lb solids, as applied; [35.5.7(b)]

- (b) Touch-up or repair that occurs after the completion of a finishing operation; [35.5.7(c)]
- (c) Touch-up or repair that occurs after the stain and before any other type of finishing material is applied, provided that the touch-up finishing materials are applied from a container that has a volume of no more than 2.0 gallons; [35.5.7(d)]
- (d) If the spray gun is aimed and triggered automatically, not manually; [35.5.7(e)]
- (e) If emissions from the finishing application station are directed to a control device; [35.5.7(f)]
- (f) For application of a finishing material if the total usage of that finishing material is no more than 5.0 percent of the total gallons of all finishing materials used at that facility during that semi-annual reporting period, as specified in Condition I.B.6.d(1) of this permit; or [35.5.7(g)]
- (g) The application of stain on a part for which it is technically or economically infeasible to use any other spray application technology. The permittee must demonstrate technical or economic infeasibility by submitting documentation to the Office of Air Resources that the following criteria, either independently or in combination, are met: [35.5.7(h)]
  - (i) The production speed is too high or the part shape is too complex for one operator to coat the part and the application station is not large enough to accommodate an additional operator; or [35.5.7(h)(1)]
  - (ii) The excessively large vertical spray area of the part makes it difficult to avoid sagging or runs in the stain. [35.5.7(h)(2)]
- i. Line Cleaning
  - (1) All organic solvent used for line cleaning shall be pumped or drained into a container that is closed at all times except when material is being added or removed. [35.5.8]
- j. Gun Cleaning



- (1) All organic solvent used to clean spray guns shall be collected in a container that is closed at all times except when material is being added or removed. [35.5.9]
- k. Washoff Operations
  - (1) Emissions from washoff operations shall be controlled by: [35.5.10]
    - (a) Using tanks for washoff that are closed at all times except when material is being added or removed; and [35.5.10(a)]
    - (b) Minimizing dripping by tilting or rotating the part to drain as much organic solvent as possible. [35.5.10(b)]
- l. The permittee shall comply with each provision of the work practice implementation plan. [35.5.1(c)]
- m. The work practice implementation plan shall be available for inspection by the USEPA or the Office of Air Resources upon request and shall be modified by the permittee if found to be inadequate. [35.5.1(d)]
- n. Toluene shall be used only as an adhesive component. [Air Toxics Approval No. AT-3625 (B)(5)] **[Not Federally Enforceable]**
- o. Formulation Assessment Plan
  - (1) The permittee shall maintain a formulation assessment plan that: [35.5.11]
    - (a) Lists all the VHAP from APC Regulation 35, Table 1, that are being used in finishing operations at the facility. [35.5.11(a)]
    - (b) Establishes a baseline level of usage by the facility for each VHAP as follows: [35.5.11(b)]
      - (i) The baseline usage level shall be the annual usage from calendar year 1994 for each VHAP. [35.5.11(b)(1)]
      - (ii) For formaldehyde, the baseline level of usage shall be based on the amount of free formaldehyde present in the finishing material when it is applied. [35.5.11(b)(2)]

- (iii) The baseline levels for a VHAP that was not used in 1994 shall be established as 20% of the Reportable Quantity for that substance specified in Table III of APC Regulation 22. [35.5.11(b)(5)]
- (c) Tracks the annual usage of each VHAP used by the facility. [35.5.11(c)]

### **3. Testing Requirements**

#### **a. Opacity**

Tests for determining compliance with the opacity limitations specified in Condition I.B.1.c of this permit shall be performed per 40 CFR 60, Appendix A, Method 9. Additionally, all observers must qualify as per 40 CFR 60, Appendix A, Method 9. [1.3.1,1.3.2]

#### **b. Compliance Using Compliant Coatings**

- (1) Compliance with the emissions limitations in Conditions I.B.1.a-b of this permit through the use of compliant coatings shall be demonstrated by the following methods: [35.6.1]
  - (a) Maintaining Certified Product Data Sheets (CPDS) documenting that the VHAP content of each topcoat, filler, stain, toner, ink, multi-colored coating, pigmented coating, sealer, washcoat, enamel, basecoat, thinner, adhesive and strippable booth coating meets the applicable emissions limitations in Conditions I.B.1.a-b of this permit in lb. VHAP/lb. of solids; and [35.6.1(a)]
  - (b) Maintaining formulation data and related calculations showing that the VHAP content of each topcoat, filler, stain, toner, ink, multi-colored coating, sealer, washcoat, enamel, basecoat, adhesive and strippable booth coating diluted onsite, as applied, meets the applicable emissions limitations in Conditions I.B.1.a-b of this permit in lb. VHAP/lb. of solids. [35.6.1(b)]

- (c) The Office of Air Resources or USEPA will determine compliance either by reviewing the records specified in Conditions I.B.3.b(1) and (2) of this permit or by conducting a performance test according to the specifications in Conditions I.B.4.b(1)-(5) of this permit. If the VHAP content of a coating determined by a performance test using the procedures specified in Conditions I.B.4.b(1)-(5) of this permit is greater than that indicated on a CPDS, the performance test results shall govern. [35.6.1(d)]

c. Performance Test Methods

(1) VHAP and Solids Content

- (a) EPA Method 311 of Part 63, Appendix A, or an alternative method, if approved by USEPA and the Office of Air Resources, shall be used in conjunction with formulation data to determine the VHAP content of the liquid coating. Formulation data shall be used to identify VHAP present in the coating and Method 311 or an approved alternative method shall be used to quantify the VHAP identified through the formulation data. USEPA method 311 shall not be used to quantify VHAP such as styrene and formaldehyde that are emitted during the cure. [35.8.2(a)]
- (b) USEPA Method 24 (40 CFR part 60) shall be used to determine the solids content by weight and the density of coatings for the purpose of showing compliance with VHAP emission limitations. [35.8.2(b)]
- (c) If the permittee uses a finishing material that does not release VOC or VHAP byproducts during the cure; for example, if all VOC and VHAP present in the coating is solvent; the permittee may request permission to use batch formulation information to demonstrate compliance. [35.8.2(c)]
- (d) If the VOC content of a coating as determined by USEPA Method 24/311 test is higher than that indicated by a facility's formulation data, the USEPA Method 24/311 test shall govern, unless the permittee can demonstrate to the satisfaction of the Office of Air Resources that formulation data are correct. [35.8.2(d)]

- (e) Sampling procedures shall follow the guidelines presented in "Standard Procedures for Collection of Coating and Ink Samples for VOC Content Analysis by Reference Method 24 and Reference Method 24A," EPA-340/1-91-010. [35.8.2(e)]
- d. The formaldehyde content of a finishing material shall be calculated as the amount of free formaldehyde present in the finishing material when it is applied. [35.3.2(b)]

#### **4. Recordkeeping Requirements**

- a. The permittee shall maintain records of the training program as specified in Condition I.B.2.d of this permit. Records shall include, at a minimum, the following: [35.5.2(d)]
  - (1) A list of all current personnel by name and job description who are required to be trained and a record of the date that each employee was trained; [35.5.2(d)(1)]
  - (2) An outline of the subjects covered in the initial and refresher training for each position, or group of personnel; [35.5.2(d)(2)]
  - (3) Lesson plans for courses to be given at the initial and the annual refresher training that include, at a minimum, the topics specified in Condition I.B.2.d(3) of this permit; and [35.5.2(d)(3)]
  - (4) A description of the methods to be used to demonstrate successful completion of initial and refresher training. [35.5.2(d)(4)]
- b. The permittee shall maintain a written leak inspection and maintenance plan that includes: [35.5.3(a)(3)]
  - (1) A schedule for conducting visual inspections required in Condition I.B.2.e(1) of this permit; and [35.5.3(a)(3)(i)]
  - (2) A log documenting the date and results of each inspection and any repairs that are made. [35.5.3(a)(3)(ii)]
- c. The permittee shall keep records of action taken during startups, shutdowns, and malfunctions, including actions taken to correct malfunctions and shall certify, in the semi-annual reports required in Condition I.B.6.d of this permit, that all such actions were consistent with the procedures specified in the facility's startup, shutdown and malfunction plan developed under Condition I.B.2.f(4) of this permit. [35.5.3(b)(6)]

- d. If actions taken by the permittee during a startup, shutdown, or malfunction (including an action taken to correct a malfunction) are not consistent with the procedures specified in the facility's startup, shutdown, and malfunction plan, the permittee shall record the actions taken. [35.5.3(b)(7)]
- e. If a malfunction occurs that was not adequately addressed in the startup, shutdown, and malfunction plan, the permittee shall revise the plan within 45 days after the event to include detailed procedures for operating and maintaining the source during similar malfunction events and a program of corrective action for similar malfunctions of process or air pollution control equipment. [35.5.3(b)(8)]
- f. The permittee shall account for organic solvent use in cleaning and washoff operations by recording the following information: [35.5.4(a)]
  - (1) The quantity and types of organic solvent used in washoff and cleaning operations each month; [35.5.4(a)(1)]
  - (2) The number of pieces washed off, and the reason for the washoff; and [35.5.4(a)(2)]
  - (3) The quantity of spent organic solvent generated from each washoff and cleaning activity each month, and whether it is recycled onsite or disposed offsite. [35.5.4(a)(3)]
- g. The permittee shall maintain the following records: [35.7.1]
  - (1) A certified product data sheet (CPDS) for each finishing material, thinner, adhesive, and strippable booth coating subject to the emission limitations in Conditions I.B.1.a-b of this permit. [35.7.1(a)]
  - (2) As applicable, the VHAP content, in lb. VHAP/lb. of solids, as applied, of each coating subject to the emission limitations in Conditions I.B.1.a-b of this permit, and copies of calculations documenting how the as-applied values were determined. [35.7.1(b)]
  - (3) The amount and type of each coating and thinner used at the facility each month. [35.7.1(c)]

- h. The permittee shall maintain onsite the work practice implementation plan and shall maintain onsite all records associated with fulfilling the requirements of that plan, as specified in Condition I.B.2.c of this permit including, but not limited to: [35.7.4]
  - (1) Records demonstrating that the operator training program is in place; [35.7.4(a)]
  - (2) Records maintained in accordance with the equipment leak inspection and maintenance plan and startup, shutdown, and malfunction plan; [35.7.4(b)]
  - (3) Records associated with the cleaning solvent accounting system; [35.7.4(c)]
  - (4) Records associated with the limitation on the use of conventional air spray guns showing total finishing material usage and the percentage of finishing materials applied with conventional air spray guns for each reporting period; [35.7.4(d)]
  - (5) Records associated with the formulation assessment plan; [35.7.4(e)]
  - (6) A copy of logs and other documentation developed to demonstrate that the provisions of the work practice implementation are followed; and [35.7.4(g)]
  - (7) A copy of the compliance certifications, and periodic reports submitted in accordance with the requirements of Condition I.B.5.c. [35.7.4(h)]
- i. On an annual basis, the permittee shall maintain records of the total amount of toluene-containing adhesive that is purchased and the amount of this adhesive that is used at the facility. [Air Toxics Approval No. AT-3625 (C)(3)] **[Not Federally Enforceable]**
- j. On an annual basis, the permittee shall determine the amount of toluene emitted to the atmosphere. [Air Toxics Approval No. AT-3625/05 (C)(4)] **[Not Federally Enforceable]**

## 5. Reporting Requirements

- a. If actions taken by the permittee during a startup, shutdown, or malfunction (including an action taken to correct a malfunction) are not consistent with the procedures specified in the facility's startup, shutdown, and malfunction plan, the permittee shall report such actions to the Office

of Air Resources within 2 working days after beginning actions inconsistent with the plan, followed by a letter within 7 working days after the end of the event. [35.5.3(b)(7)]

- b. If, beginning with the calendar year 1998, the usage of a VHAP in any year exceeds its baseline level, then the permittee shall provide a written notification to the Office of Air Resources by 31 January of the following year that specifies the amount of the increase and explains the reasons for the increase. The Office of Air Resources will determine whether the increase would cause an exceedance of the Acceptable Ambient Levels specified in Air Pollution Control Regulation No. 22. If Regulation No. 22 limits are exceeded, the Office of Air Resources will develop a timetable for the facility to achieve compliance and a schedule for submitting notification of progress. [35.5.11(d), 22.3.3(a)]
- c. The permittee shall submit periodic reports to the Office of Air Resources according to the following specifications: [35.7.7]
  - (1) Periodic reports shall be submitted semi-annually by 1 February of each year for the reporting period of 1 July through 31 December of the previous year and by 1 September for the reporting period of January 1 through June 30, which include the following: [35.7.7(a)]
    - (a) The amount and type of VOC and VHAP in each coating used at the facility during the reporting period, [35.7.7(a)(1)]
    - (b) A compliance certification, as specified in Conditions I.B.5.c(2) and (3) of this permit, and [35.7.7(a)(2)]
    - (c) Documentation of progress made during the reporting period toward reducing the VOC and VHAP content of coatings used at the facility. [35.7.7(a)(3)]
  - (2) If the facility is using compliant coatings to comply with the emission limitations in Conditions I.B.1.a-b of this permit, periodic reports shall state that the VOC and VHAP content of each topcoat, filler, stain, toner, ink, multi-colored coating, pigmented coating, sealer, washcoat, enamel, basecoat, thinner, adhesive and strippable booth coating used each day at the facility was in compliance with applicable limitations in those sections throughout the reporting period, or should identify periods of noncompliance and the reasons for noncompliance. [35.7.7(b)]
  - (3) Periodic reports shall include a statement certifying that the work

practice implementation plan and startup, shutdown, and malfunction plan were followed throughout the reporting period, or otherwise identify the periods of noncompliance with the work practice standards. [35.7.7(g)]

- (4) The periodic report shall be signed by a responsible official of the company that owns or operates the facility. [35.7.7(h)]
- (5) If an exceedance occurs, periodic reports must be submitted quarterly until a request to reduce the reporting frequency has been approved. Submittal frequencies may be reduced to semi-annual provided that the following conditions have been satisfied: [35.7.7(i)]
  - (a) The facility has demonstrated a full year of compliance without an exceedance; and [35.7.7(i)(1)]
  - (b) The permittee continues to comply with the recordkeeping and monitoring requirements specified in this permit. [35.7.7(i)(2)]
- d. The permittee shall submit the annual toluene emission estimates as part of its annual air pollution inventory report. [Air Toxics Approval No. AT-3625 (D)(2)] **[Not Federally Enforceable]**

**C. Requirements for Emission Unit P004**

The following requirements are applicable to:

- Emission unit P004, which is a 5-gallon pail containing methylene chloride, used to clean process tools.

**1. Operating Requirements**

- a. Covers and dipping/rotating baskets shall be constructed of nonporous or nonabsorbent material. Covers must form a tight seal with the sides of P004 and have no gaps or holes. [36.4.1]
- b. When the cover of P004 is open, drafts at the same elevation as the tanks lip must not be greater than 40 m/min. (130 ft/min.) when measured 1 to 2 meters (3 to 7 feet) upwind. [36.4.2]
- c. Leaks shall be repaired immediately or P004 shall be shut down [36.4.3]
- d. P004 shall display a conspicuous summary of proper operating procedures consistent with minimizing emissions of organic solvents. [36.4.4]



- e. Spills shall be wiped up immediately. The wipe rags shall be stored in covered containers meeting the specification in Condition I.C.1.k. [36.4.6]
- f. Porous or absorbent materials, such as sponges, fabrics, wood, or paper products, shall not be cleaned in P004. [36.4.7]
- g. Parts baskets or parts shall be drained under the cover and shall not be removed from P004 for at least 15 seconds or until dripping ceases and the pieces are visually dry, whichever is longer. [36.4.8]
- h. Parts with cavities or blind holes shall be tipped or rotated while draining before removed from the vapor zone. [36.4.9]
- i. Parts shall be oriented for best drainage. [36.4.10]
- j. When solvent is added to or drained from P004, the solvent shall be transferred using threaded or other leak-proof couplings and the end of the pipe in the solvent sump shall be located beneath the liquid solvent surface. [36.4.11]
- k. Solvent, waste solvent, still bottoms, and sump bottoms shall be stored in covered containers and waste solvent transferal or disposal shall not allow greater than 20 percent of the waste solvent (by weight) to evaporate into the atmosphere. [36.4.12]
- l. P004 shall be maintained as recommended by the manufacturer of the equipment. [36.4.13]
- m. Operators must receive training in proper solvent cleaning procedures and, if requested by representatives of the Office of Air Resources or the USEPA during an inspection, shall complete and pass the applicable sections of the test on those procedures as shown in Appendix A of APC Regulation No. 36. [36.4.14]
- n. P004 shall be equipped with an attached cover that can be operated easily with one hand. The covers shall be closed at all times except during parts entry and removal. [36.5.1]
- o. A freeboard ratio greater than or equal to 0.75 shall be used to control solvent emissions from P004. [36.5.3]
- p. The height of solvent in P004 shall not exceed the manufacturer's fill line for that machine. [36.5.6]

## **2. Recordkeeping Requirements**

- a. The permittee shall maintain the following records:
  - (1) Training provided to the operators of P004 for the lifetime of the unit; [36.10.4]
  - (2) The amount and type of solvent used in P004 for each year; [36.10.4(a)]
  - (3) The date and type of each equipment malfunction or leak and the date the malfunction or leak is repaired. [36.10.4(b)]

**D. Requirements for Emission Units B001, B002, and B003**

The following requirements are applicable to:

- Emission Units B001 and B002, each of which are 10.46 MMBTU/hr Cleaver Brooks Boilers, Model No. CB-600-250, which burn No. 6 fuel oil.
- Emission Unit B003, which is a 10 MMBTU/hr Superior Combustion Boiler, Model No. GCR4C250A, which burns No. 6 fuel oil.

**1. Emission Limitations**

- a. Particulates

The permittee shall not cause or permit the emissions of particulate matter in excess of 0.1 pounds per million BTU actual heat input. [13.2.1]

- b. Opacity

The permittee shall not emit into the atmosphere, any air contaminant, for a period or periods aggregating more than three minutes in any one hour, which is greater than or equal to 20 percent opacity. [1.2] Where the presence of uncombined water is the only reason for failure to meet this requirement, such failure shall not be a violation of this permit. [1.4]

- c. Sulfur Oxides

Unless the Director declares in writing after hearing that a shortage of low sulfur fuel oil exists, the permittee shall not use or store fuel oil with a sulfur content greater than 1.0% by weight. [8.2]

**2. Operating Requirements**

- a. The permittee shall tune B001, B002, and B003 at least once each year of operation, in accordance with the procedure described in Appendix A of RI APC Regulation No. 27. [27.4.2(c)]

### **3. Monitoring Requirements**

- a. Opacity

Emission units B001, B002 and B003 shall be equipped with opacity monitors with audio alarm. [6.2.2] The opacity monitors shall be calibrated to sound the alarm at 20 percent opacity and shall be operated continuously during the combustion of oil. The audio alarm must be located in an area where it will be heard by the operator or other person responsible for the units. [6.2.3]

### **4. Testing Requirements**

- a. Particulates

Compliance with the particulate emissions limitations contained in Condition I.D.1.a of this permit shall be determined by emission testing conducted by the permittee according to Method 5 of CFR 60, Appendix A, or another method approved by the Office of Air Resources and the USEPA shall be used. [13.3.1]

The requirements of particulate emissions testing may be waived if the Director and the USEPA:

- (1) Specifies or approves, in a specific case, the use of a reference method with minor changes in methodology; or
- (2) Approves the use of an equivalent or alternative method the results of which he has determined to be adequate for indicating whether the permittee is in compliance; or
- (3) Finds that the permittee has demonstrated by other means to the Director's and the USEPA's satisfaction that the source is in compliance with the relevant emissions standards. [13.3.3]

In the absence of data from particulate emissions testing, the Director and USEPA may determine that an emissions unit is or is not in compliance with the emissions limitations of Condition I.D.1.a of this permit based on available information including, but not limited to, type of fuel burned, design of unit, efficiency of air pollution control systems, operating and maintenance procedures, and emission test results on similar units. [13.3.2]

b. Opacity

Tests for determining compliance with the opacity emission limitations specified in Condition I.D.1.b of this permit shall be performed per 40 CFR 60, Appendix A, Method 9. Additionally, all observers must qualify as per 40 CFR 60, Appendix A, Method 9. [1.3.1, 1.3.2]

c. Sulfur Oxides

Compliance with the sulfur limitations contained in Condition I.D.1.c of this permit shall be determined by the procedures referenced in Condition II.U.2 of this permit.

**5. Recordkeeping Requirements**

a. The permittee shall record the monthly fuel usage for B001, B002, and B003. [27.6.3]

b. The permittee shall maintain records verifying that a tune-up has been performed in accordance with Condition I.D.2.a of this permit. These records shall include the following information: [27.6.8]

- (1) The date the tune-up was performed,
- (2) The name of the person who performed the tune-up,
- (3) The final excess oxygen setting, and
- (4) The O<sub>2</sub>/smoke curve that has been developed as part of the tune-up procedure.

**E. Requirements for Emission Units P005 and P006**

The following requirements are applicable to:

- Emission unit P005, which consists of the cleaning operations where acetone is used to clean tools and equipment used in the fiberglass boat manufacturing operations. The acetone is recycled using solvent recovery stills.
- Emission unit P006, which are the final boat cleaning operations where mineral spirits, alcohol and lacquer thinner are used to wipe down the finished product after it is fully assembled.

There are no specific requirements for P005 and P006. This does not relieve the permittee from compliance with the General Provisions, outlined in Section II of this permit, as they apply to P005 and P006.

**F. Facility Requirements**

**1. Emission Limitations**

- a. The total quantity of volatile organic compounds (VOC) emitted from the entire facility shall not exceed 98,000 pounds in any consecutive 12-month period. [Consent Agreement 03-02-AP (6)]

**2. Operating Requirements**

- a. Styrene shall be used only for hand and spray lay-up, and gel coat applications in the manufacture of fiberglass boats. [Air Toxics Approval No. AT-3625 (B)(1)] **[Not Federally Enforceable]**

**3. Recordkeeping Requirements**

- a. In order for the permittee to demonstrate compliance with Condition I.E.1.a of this permit, the following records for boat manufacturing shall be kept and shall be specific enough to demonstrate compliance for the facility with the requirements contained in Air Pollution Control Regulation No. 15. The recordkeeping requirements shall include the following: [Consent Agreement 03-02-AP (7)]
  - (1) For each product used in boat manufacturing, including but not limited to each liquid polyester resin, vinyl ester resin, gelcoat, catalyst, adhesive, epoxy, stain and varnish; the product name and identification number, manufacturer name, quantity used (in pounds), total VOC content of product, as applied VOC content, and VOC emissions totals, and [Consent Agreement 03-02-AP (7)(a)]
  - (2) Cleanup solvent consumption data for each and every process and VOC emitted, and [Consent Agreement 03-02-AP (7)(b)]
  - (3) Any other data necessary to show compliance. [Consent Agreement 03-02-AP (7)(c)]

The permittee shall keep and maintain these and any other necessary records sufficient to determine actual VOC emissions from boat manufacturing at the facility for the previous 12 months, on a 12-month rolling average. The permittee shall determine the actual VOC emissions from boat manufacturing on a monthly basis, no later than 15 days after the first of each month. [Consent Agreement 03-02-AP (7)]

#### 4. Reporting Requirements

- a. The Office of Air Resources shall be notified, in writing, of any planned physical or operational change to any process or to any pollution control equipment which is associated with any process which emits air toxics that would: [Air Toxics Approval No. 3625/05 (D)(1)] **[Not Federally Enforceable]**
- (1) increase the rate of those emissions beyond the limits set in Section I of this permit;
  - (2) cause the process to emit one or more listed toxic air contaminant, as defined in Air Pollution Control Regulation No. 22, that is not covered in Section I of this permit; or
  - (3) alter parameters used in modeling.

Such notification shall include:

- (1) information describing the nature of the change;
- (2) Information describing the effect of the change on the emissions of styrene and toluene;
- (3) Information describing the effect of the change on the emissions of listed toxic air contaminants; and
- (4) The scheduled completion date of the planned change.

Notification of these changes to the Office of Air Resources does not relieve the permittee of any obligations under RIAPC Regulation 9.

The following shall not be considered a change or modification that requires notification:

- (1) Routine maintenance of any machine, process equipment, air pollution control device or air handling system.
- (2) Increase in production rates or changes in product formula based solely upon the capabilities of existing equipment.
- (3) Increase in hours of operation.
- (4) Use of an alternative fuel or raw material if the machine, equipment, device, article or facility was designed or approved to

accommodate that alternative use.

**5. Other Requirements**

- a. If the VOC limitation set forth in Condition I.E.1.a of this permit is exceeded, the permittee must immediately install and operate in compliance with RACT pursuant to Air Pollution Control Regulation No. 15, Section 15.3.10. Failure to comply with Air Pollution Control Regulation No. 15, Section 15.3.10 shall subject the permittee to enforcement action, which may include monetary penalties. [Consent Agreement 03-02-AP (8)]
- b. The permittee is subject to the requirements of 40 CFR 63.1-15, Subpart A, "General Provisions" [as indicated in Table 8 to Subpart VVVV of 40 CFR 63] and 40 CFR 63, Subpart VVVV, National Emission Standards for Hazardous Air Pollutants for Boat Manufacturing. Compliance with all applicable provisions therein is required, unless otherwise stated in this permit. The permittee must comply with the standards in Subpart VVVV by August 22, 2004. [40 CFR 63.5695, 40 CFR 63.5773]

## SECTION II. GENERAL CONDITIONS

### A. Annual Emissions Fee Payment

The permittee shall pay an annual emissions fee as established in Air Pollution Control Regulation No. 28 "Operating Permit Fees". [29.6.8(d)]

### B. Permit Renewal and Expiration

This permit is issued for a fixed term of 5 years. The permittee's right to operate this source terminates with the expiration of this permit unless a timely and complete renewal application is submitted at least 12 months prior to the date of permit expiration. Upon receipt of a complete and timely application for renewal, this source may continue to operate subject to final action by the Office of Air Resources on the renewal application. In such an event, the permit shield in Condition II.Y of this permit shall extend beyond the original permit term until renewal. This protection shall cease to apply if, subsequent to a completeness determination, the applicant fails to submit by the deadline specified in writing by the Office of Air Resources any additional information identified as being needed to process the application. The application for renewal shall include the current permit number, description of permit revisions and off-permit changes that occurred during the permit term, and any applicable requirements that were promulgated and not incorporated into the permit during the permit term. [29.6.8(a),29.4.2(c), 29.4.6]

### C. Transfer of Ownership or Operation

This permit is nontransferable by the permittee. Future owners and operators must obtain a new operating permit from the Office of Air Resources. A change in ownership or operational control of this source is treated as an administrative permit amendment if no other change in this permit is necessary and provided that a written agreement containing a specific date for transfer of permit responsibility, coverage, and liability between the current and new permittee has been submitted to the Office of Air Resources. [29.10.1(a)(4)]

### D. Property Rights

This permit does not convey any property rights of any sort, or any exclusive privilege. [29.6.8(c)(4)]



**E. Submissions**

1. Reports, test data, monitoring data, notifications, and requests for renewal shall be submitted to :

RIDEM - Office Air Resources  
Compliance Assurance Section  
235 Promenade St. Room 230  
Providence, RI 02908

2. Any records, compliance certifications and monitoring data required by the provisions of this permit to be submitted to USEPA shall be sent to:

USEPA Region I  
Office of Environmental Stewardship  
Director, Air Compliance Program  
Attn: Air Compliance Clerk  
One Congress St. Suite 1100 (SEA)  
Boston, MA 02114 - 2023

3. Any document submitted shall be certified as being true, accurate, and complete by a responsible official. This certification shall state that, based on information and belief formed after reasonable inquiry, the statements and information in the certification are true, accurate, and complete. [29.6.8(e)]

**F. Inspection and Entry**

1. Employees of the Office of Air Resources and its authorized representatives shall be allowed to enter this facility at all reasonable times for the purpose of:
  - a. having access to and copying at reasonable times any records that must be kept under the conditions of this permit;
  - b. inspecting at reasonable times any facilities, equipment (including monitoring and air pollution control equipment), practices, or operations regulated or required under this permit; and
  - c. sampling or monitoring, at reasonable times, substances or parameters for the purpose of assuring compliance with this permit or other applicable requirements. [29.6.8(f)(1-4)]

Nothing in this condition shall limit the ability of USEPA to inspect or enter the premises of the permittee under Section 114 or other provisions of the Clean Air Act.

**G. Compliance**

1. The permittee must comply with all conditions of this permit. Any noncompliance with a federally enforceable permit condition constitutes a violation of the Clean Air Act and is grounds for enforcement action, for permit termination, revocation and reissuance or modification, or for denial of a permit renewal application. Any noncompliance with a permit condition designated as state only enforceable constitutes a violation of state rules only and is grounds for enforcement action, for permit termination, revocation and reissuance or modification, or for denial of a permit renewal application. [29.6.8(c)(1)]
2. For each unit at the facility for which an applicable requirement becomes effective during the permit term, the permittee shall meet such requirements on a timely basis unless a more detailed schedule is expressly required by the applicable requirement. [29.6.5(a)]
3. It shall not be a defense for a permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this permit. [29.6.8(c)(2)]

**H. Excess Emissions Due to an Emergency**

As the term is used in this condition an "emergency" means any situation arising from sudden and reasonably unforeseeable events beyond the control of this source, including acts of God, which situation requires immediate corrective action to restore normal operation, and that causes this source to exceed a technology-based emission limitation under this permit, due to unavoidable increases in emissions attributable to the emergency. An emergency shall not include noncompliance to the extent caused by improperly designed equipment, lack of preventative maintenance, careless or improper operation, or operator error. [29.6.11(b)]

Technology-based emission limits are those established on the basis of emission reductions achievable with various control measures or process changes (e.g., a new source performance standard) rather than those established to attain a health based air quality standard.

The permittee may seek to establish that noncompliance with a technology-based emission limitation under this permit was due to an emergency. To do so, the permittee shall demonstrate the affirmative defense of emergency through properly signed, contemporaneous operating logs, or other relevant evidence that: [29.6.11(a) & 29.6.11(c)]

1. an emergency occurred and that the permittee can identify the cause(s) of the emergency; [29.6.11(c)(1)]

2. the permitted facility was at the time being properly operated; [29.6.11(c)(2)]
3. during the period of the emergency, the permittee took all reasonable steps to minimize levels of emissions that exceeded the emissions standards, or other requirements in this permit; and [29.6.11(c)(3)]
4. the permittee submitted notice of the emergency to the Office of Air Resources within 2 working days of the time when emission limitations were exceeded due to the emergency. This notice must contain a description of the emergency, any steps taken to mitigate emissions, and corrective actions taken. This notice fulfills the requirements of Condition II.AA.3 of this permit. [29.6.11(c)(4)]

The permittee shall have the burden of proof in seeking to establish the occurrence of an emergency. [29.6.11(d)]

**I. Duty to Provide Information**

The permittee shall furnish to the Office of Air Resources, within a reasonable time, any pertinent information that the Office of Air Resources may request in writing to determine whether cause exists for modifying, revoking and reissuing, or terminating the permit, or to determine compliance with the permit. Upon request, the permittee shall also furnish to the Office of Air Resources copies of records that the permittee is required to keep by this permit, or for information claimed to be confidential, the permittee may furnish such records directly to the Administrator along with a claim of confidentiality. [29.6.8(c)(5)]

**J. Duty to Supplement**

The permittee, upon becoming aware that any relevant facts were omitted or incorrect information was submitted in the permit application, shall promptly submit such supplementary facts or corrected information to the Office of Air Resources. The permittee shall also provide additional information as necessary to address any requirements that become applicable to the source after the date a complete renewal application was submitted but prior to release of a draft permit. [29.5.4]

**K. Reopening for Cause**

The Office of Air Resources will reopen and revise this permit as necessary to remedy deficiencies in the following circumstances:

1. Additional requirements under the Clean Air Act become applicable to a major source 3 or more years prior to the expiration date of this permit. Such a reopening shall be completed no later than 18 months after promulgation of the applicable requirement. No such reopening is required if the effective date of the requirement is later than the expiration date of this permit, unless this permit or any of its terms and conditions has been extended. [29.6.13(a)]

2. The Office of Air Resources or the Administrator determines that this permit contains a material mistake or inaccurate statements were made in establishing the emissions standards or other terms or conditions of this permit. [29.6.13(c)]
3. The Office of Air Resources or the Administrator determines that the permit must be revised or revoked to assure compliance with the applicable requirements. [29.6.13(d)]

Reopenings shall not be initiated before a notice of intent to reopen is provided to the permittee by the Office of Air Resources at least 30 days in advance of the date that this permit is to be reopened, except that the Office of Air Resources may provide a shorter time period (but not less than 5 days) in the case of an emergency. [29.9.5(b)]

Proceedings to reopen and issue this permit shall follow the same procedures as apply to initial permit issuance and shall affect only those parts of this permit for which cause to reopen exists. Such reopening shall be made as expeditiously as practicable. [29.9.5(a)]

All permit conditions remain in effect until such time as the Office of Air Resources takes final action. The filing of a request by the permittee for a permit modification, revocation and reissuance, or termination, or of a notification of planned changes or anticipated noncompliance does not stay any permit condition. [§70.6(a)(6)(iii)]

**L. Severability Clause**

The provisions of this permit are severable, and if any provision of this permit, or the application of any provision of this permit to any circumstance, is held invalid, the application of such provision to other circumstances, and the remainder of this permit, shall not be affected thereby. [29.6.8(b)]

**M. Off-Permit Changes**

1. The permittee is allowed to make certain changes that are not addressed or prohibited by this permit without a permit revision, provided that the following conditions are met: [29.11.2(a)]
  - a. Each such change shall not violate any term or condition of this permit. [29.11.2(b)]
  - b. Each change shall comply with all applicable requirements. [29.11.2(b)]
  - c. Changes under this provision may not include changes or activities subject to any requirement under Title IV or modifications under any provision of Title I of the Clean Air Act. [29.11.2(a)]
  - d. Before the permit change is made, the permittee must provide contemporaneous written notice to the Office of Air Resources and the

USEPA Region I, except for changes that qualify as insignificant activities in Appendix A of APC Regulation No. 29. This notice shall describe each change, including the date, and change in emissions, pollutants emitted, and any applicable requirement that would apply as a result of the change. [29.11.2(c)]

- e. The permit shield does not apply to changes made under this provision. [29.11.2(d)]
  - f. The permittee shall keep a record describing changes made at the stationary source that result in emissions of a regulated air pollutant subject to an applicable requirement, but not otherwise regulated under this permit, and the emissions resulting from those changes, including any other data necessary to show compliance with applicable ambient air quality standards. The record shall reside at the permittee's facility. [29.11.2(e)]
- 2. Changes made pursuant to this provision shall not be exempt from the requirement to obtain a minor source permit pursuant to the requirements of Air Pollution Control Regulation No. 9, if applicable. [29.11.2(a)]
  - 3. Changes made pursuant to this provision shall be incorporated into this permit at the time of renewal. [29.11.2(f)]

**N. Section 502(b)(10) Changes**

- 1. The permittee is allowed to make changes within this permitted facility that contravene the specific terms of this permit without applying for a permit revision, provided the changes do not exceed the emissions allowable under this permit, whether expressed therein as a rate of emissions or in terms of total emissions and are not Title I modifications. This class of changes does not include:
  - a. changes that would violate applicable requirements; or
  - b. changes to federally-enforceable permit terms or conditions that are monitoring (including test methods), recordkeeping, reporting, or compliance certification requirements. [29.11.1(a), 29.1.36]
- 2. The permittee shall provide written notice to the Office of Air Resources and the USEPA Region I of any change made under this provision. The notice must be received by the Office of Air Resources no later than fourteen (14) days in advance of the proposed changes. The notice shall include information describing the nature of the change, the effect of the change on the emission of any air contaminant, the scheduled completion date of the planned change and identify any permit terms or conditions that are no longer applicable as a result of the change. The permittee shall attach each notice to its copy of this permit. [29.11.1(a)(1), 29.11.1(a)(2)]

3. The permittee shall be allowed to make such change proposed in its notice the day following the last day of the advance notice described in paragraph 2 if the Office of Air Resources has not responded nor objected to the proposed change on or before that day. [29.11.1(b)]
4. Any permit shield provided in this permit does not apply to changes made under this provision. If subsequent changes cause the permittee's operations and emissions to revert to those anticipated in this permit, the permittee resumes compliance with the terms and conditions of the permit, and has provided the Office of Air Resources and USEPA with a minimum of fourteen (14) days advance notice of such changes in accordance with the provisions of paragraph 2, the permit shield shall be reinstated in accordance with terms and conditions stated in this permit. [29.11.1(c)]
5. Changes made pursuant to this provision shall be incorporated into the operating permit at the time of renewal. [29.11.1(d)]

**O. Emissions Trading**

No permit revision shall be required under any approved economic incentives, marketable permits, emissions trading, and other similar programs or processes for changes that are provided for in the permit. [29.6.6(a)]

**P. Emission of Air Contaminants Detrimental to Person or Property**

The permittee shall not emit any air contaminant which either alone or in connection with other emissions, by reason of their concentration or duration, may be injurious to human, plant or animal life, or cause damage to property or which unreasonably interferes with the enjoyment of life or property. [7.1]

**Q. Odors**

1. The permittee shall not emit or cause to be emitted into the atmosphere any air contaminant or combination of air contaminants which creates an objectionable odor beyond the property line of this facility. [17.1]
2. A staff member of the Office of Air Resources shall determine by personal observation if an odor is objectionable, taking into account its nature, concentration, location, duration and source. [17.2]

**R. Visible Emissions**

1. Except as may be specified in other provisions of this permit, the permittee shall not emit into the atmosphere, from any emission unit, any air contaminant, for a period or periods aggregating more than three minutes in any one hour, which is greater than or equal to 20 percent opacity. [1.2] Where the presence of uncombined water is the only reason for failure to meet this requirement, such failure shall not be a

violation of this permit. [1.4]

2. Tests for determining compliance with the opacity limitations specified in this permit shall be performed per 40 CFR 60, Appendix A, Method 9. Additionally, all observers must qualify as per 40 CFR 60, Appendix A, Method 9. [1.3.1, 1.3.2]

**S. Open Fires**

It shall be unlawful for the permittee to burn any material in an open fire, except as provided in APC Regulation No. 4, Section 4.3. [4.2]

**T. Construction Permits**

It shall be unlawful for the permittee to construct, install, modify or cause the construction, installation or modification of any stationary source subject to the provisions of APC Regulation No. 9 without obtaining either a minor source permit or a major source permit from the Director. [9.2.1]

**U. Sulfur in Fuel**

1. Except as may be specified in other provisions of this permit, unless the Director declares in writing after a hearing that a shortage of low sulfur fuel exists, the permittee shall not use or store fuel oil with a sulfur content greater than 1.0% by weight, except for use with marine vessels and motor vehicles. [8.2, 8.3.6]
2. Compliance with the sulfur in fuel limitations contained in this section shall be determined by the procedures listed below or by another method deemed equivalent by the Director and USEPA: [29.6.3(b)]
  - a. For each shipment of fuel oil, the permittee shall obtain a certification from the fuel supplier which contains:
    - (1) For distillate fuel oil:
      - (a) The name of the supplier;
      - (b) A statement that the oil complies with the specification for fuel oil number 1 or 2, as defined by the American Society for Testing and Materials in ASTM D396-78 "Standard Specification for Fuel Oils."
    - (2) For residual fuel oil:
      - (a) The name of the oil supplier;
      - (b) The nitrogen and sulfur content of the oil and the ASTM

method used to determine the nitrogen and sulfur content of the oil,

- (c) The location of the oil when the sample was drawn for analysis to determine the nitrogen and sulfur content of the oil, specifically including whether the oil was sampled as delivered to the permittee or whether the sample was drawn from oil in storage at the oil suppliers/refiners facility or another location. [27.6.5(a-d)]
- (3) For diesel fuel oil:
  - (a) the name of the supplier
  - (b) a statement that the oil complies with the specification for diesel fuel oil grade 1-D or 2-D, as defined by the American Society for Testing and Materials in ASTM D975-03 “Standard Specification for Fuel Oils.” [29.6.3]
- b. As an alternative to fuel oil certification, the permittee may elect to sample the fuel oil prior to combustion. Sampling and analysis shall be conducted after each new shipment of fuel oil is received. Samples shall be collected from the fuel tank immediately after the fuel tank is filled and before any fuel oil is combusted. [8.4.1(b), 27.6.6]
- c. All fuel oil must be sampled and analyzed according to ASTM methods which have the prior approval of or are required by the Office of Air Resources. [8.4.1(b), 27.6.6]
- d. Copies of the fuel oil analysis sheets shall be maintained at the facility and be made accessible for review by the Office of Air Resources or designated personnel of the Office of Air Resources and USEPA. These records shall include a certified statement, signed by a responsible official, that the records represent all of the fuel combusted during each quarter. [27.6.7]
- e. The Director may require, under his supervision, the collection of fossil fuel samples for the purpose of determining compliance with the sulfur limitations in this permit. Sampling and analysis of fossil fuels under Condition II.U.2 of this permit shall not limit the collection of samples under this condition. [8.4.3]

## V. **Air Pollution Episodes**

Conditions justifying the proclamation of an air pollution alert, air pollution warning or air pollution emergency shall be deemed to exist whenever the Director determines that the accumulation of air pollutants in any place is attaining or has attained levels which could, if



such levels are sustained or exceeded, lead to a substantial threat to the health of persons. If the governor declares an air pollution alert, air pollution warning or air pollution emergency, the permittee shall comply with the applicable requirements contained in APC Regulation No. 10. [10.1]

**W. Fugitive Dust**

The permittee shall not cause or permit any materials, including but not limited to sand, gravel, soil, aggregate and any other organic or inorganic solid matter capable of releasing dust, to be handled, transported, mined, quarried, stored or otherwise utilized in any way so as to cause airborne particulate matter to travel beyond the property line of the facility without taking adequate precautions to prevent particulate matter from becoming airborne. Such precaution shall be in accordance with good industrial practice as determined by the Director and/or shall be other reasonable fugitive dust prevention measures as determined by the Director. [5.2]

**X. Compliance Certifications**

1. The permittee shall submit a certification of compliance with permit terms and conditions annually. [29.6.5(c)(1)]
2. The certification shall describe the following:
  - a. the permit term or condition that is the basis of the certification; [29.6.5(c)(3)a]
  - b. the current compliance status; [29.6.5(c)(3)b]
  - c. whether compliance was continuous or intermittent; and [29.6.5(c)(3)c]
  - d. the methods used for determining compliance, currently and over the reporting period. [29.6.5(c)(3)d]
3. All compliance certifications shall be submitted to the Office of Air Resources and to the USEPA Region I. It shall be submitted within 60 days following the end of the reporting period which is the calendar year unless otherwise specified. [29.6.5(c)(4)]
4. All compliance certifications shall be certified as being true, accurate, and complete by a responsible corporate official. This certification shall state that, based on information and belief formed after reasonable inquiry, the statements and information in the certification are true, accurate, and complete. [29.6.8(e)]

**Y. Permit Shield**

1. Compliance with the terms and conditions of this permit shall be deemed compliance

with all requirements applicable to the source in the following regulations: RI APC Regulation Nos. 1, 4, 5, 6, 7, 8, 9, 10, 13, 14, 15, 16, 17, 22, 27, 28, 29, 35, and 36. Air Toxics Approval No. AT-3625/05, Consent Agreement 03-02-AP, 40 CFR 63.5695 and 40 CFR 63.5773 of Subpart VVVV and [29.6.12(a)(1)]

2. The Office of Air Resources has determined that units P001, P002, P004, B001, B002, B003, P005 and P006 are not subject to RI APC Regulation Nos. 2, 3, 11, 12, 19, 20, 21, 23, 24, 25, 26, 30, 31, 32, 33, 39 and 41. [29.6.12(a)(2)]
3. Nothing in this permit shall alter or affect the following:
  - a. the provisions of Section 303 of the Clean Air Act, including the authority of USEPA under that Section. [29.6.12(c)(1)]
  - b. the liability of the permittee for any violation of applicable requirements prior to or at the time of permit issuance. [29.6.12(c)(2)]
  - c. the applicable requirements of the acid rain program consistent with Section 408 of the Clean Air Act. [29.6.12(c)(3)]
  - d. the ability of the USEPA to obtain information under Section 114 of the Act. [29.6.12(c)(4)]
4. If it is determined that this operating permit was issued based on inaccurate or incomplete information provided by the permittee, this permit shall be void as to the portions of this permit which are affected, directly or indirectly, by the inaccurate or incomplete information. [29.6.12(d)]

**Z. Recordkeeping**

1. The permittee shall, at the request of the Director, maintain records of and provide data on operational processes, fuel usage, raw materials, stack dimensions, exhaust gas flow rates and temperatures, emissions of air contaminants, steam or hot water generator capacities, types of equipment producing air contaminants and air pollution control systems or other data that may be necessary to determine if the facility is in compliance with air pollution control regulations. [14.2.1]
2. All records and supporting information required by this permit shall be maintained at the permittee's 226 West Shore Road Facility for a period of at least 5 years from the date of sample monitoring, measurement, report or application, and shall be made available to representatives of the Office of Air Resources and USEPA upon request. Supporting information includes all calibration and maintenance records and all original strip-chart recordings for continuous monitoring instrumentation, and copies of all reports required by this permit. [14.2.1, 29.6.4(a)(2), Consent Agreement 03-02-AP (7)]

3. The permittee shall keep records of required monitoring information that include the following:
  - a. The date, place and time of sampling or measurements; [29.6.4(a)(1)a]
  - b. The date(s) analyses were performed; [29.6.4(a)(1)b]
  - c. The company or entity that performed the analyses; [29.6.4(a)(1)c]
  - d. The analytical techniques or methods used; [29.6.4(a)(1)d]
  - e. The results of such analyses; and [29.6.4(a)(1)e]
  - f. The operating conditions as existing at the time of sampling or measurement. [29.6.4(a)(1)f]

**AA. Reporting**

1. The information recorded by the permittee pursuant to Condition II.Z.1 of this permit shall be summarized and reported at least annually to the Director. It shall be submitted by April 15<sup>th</sup> unless otherwise specified. [14.2.2] Information submitted pursuant to this condition will be correlated with applicable emission limitations and other applicable emissions information and will be available for public inspection. [14.2.3]
2. The permittee shall submit reports of any required monitoring for each semi annual period ending 30 June and 31 December of every calendar year. These reports shall be due to the Office of Air Resources no later than forty-five (45) days after the end of the reporting period. All instances of deviations from permit requirements must be clearly identified in such reports. All required reports must be certified by a responsible official consistent with Condition II.X.4. [29.6.4(b)(1)]
3. Deviations from permit conditions, including those attributable to upset conditions as defined in this permit, shall be reported, in writing, within five (5) business days of the deviation, to the Office of Air Resources. A copy of any such report shall be sent to the USEPA Region I. Reports shall describe the probable cause of such deviations, and any corrective actions or preventive measures taken. Each report must be certified by a responsible official consistent with Condition II.X.4. of this permit. [29.6.4(b)(2)]
4. The Office of Air Resources shall be notified in writing of any planned physical change or operational change to the emissions units and control devices identified in this permit. Such notification shall include information describing the nature of the change, information describing the effect of the change on the emissions of air contaminants and the scheduled completion date of the planned change. Any change which may result in an increased emission rate of any air contaminant shall be

subject to approval of the Office of Air Resources. [Air Toxics Approval No. AT-3625 (D)(1)]

**BB. Credible Evidence**

For the purpose of submitting compliance certifications or establishing whether or not the permittee has violated or is in violation of any provision of this permit, the methods used in this permit shall be used, as applicable. However, nothing in this permit shall preclude the use, including the exclusive use, of any credible evidence or information, relevant to whether the permittee would have been in compliance with applicable requirements if the appropriate performance or compliance test procedures or methods had been performed. [40 CFR 51.212(c), 51.12(c), 52.33(a)]

**CC. Emission Statements**

1. The permittee shall submit, annually, an emission statement which includes information for both VOC and NO<sub>x</sub> if facility wide actual emissions are 25 tons per year of either pollutant. Emission statements shall be submitted to the Director on April 15<sup>th</sup> of each year unless otherwise specified. The permittee may apply to the Office of Air Resources to be allowed to discontinue submitting annual emission statements if actual emissions at the facility decrease to below 10 tons per year as a result of a permanent process change. [14.3.1] The permittee shall submit this emission statement in a format approved by the Office of Air Resources. The emission statement shall contain the following information: [14.3.2]
  - a. A certification that the information contained in the emission statement is accurate and complete to the best knowledge of the certifying individual.
  - b. The full name, title, signature, date of signature, and telephone number of the certifying individual.
  - c. Facility identification information, including the full name, physical location, mailing address, latitude, longitude, and four digit SIC code(s).
  - d. Process data pertaining to each process emitting VOC and/or NO<sub>x</sub>, including:
    - (1) Annual and typical ozone season daily fuel use,
    - (2) Annual and typical ozone season daily process rate(s), and
    - (3) Process throughput while air pollution control equipment was not in operation.
  - e. Operating data pertaining to each process emitting VOC and/or NO<sub>x</sub> during the reporting year, including:
    - (1) Percentage annual throughput,
    - (2) Average hours of operation per day during the reporting year and on

a typical ozone season day,

- (3) Average number of days of operation per week during the reporting year and during a typical ozone season week, and
- (4) Weeks of operation during the reporting year and during the peak ozone season.

f. Control equipment information, including:

- (1) Specific primary and secondary control equipment for each process emitting VOC and/or NO<sub>x</sub>,
- (2) Current overall control efficiency for each piece of control equipment (indicated by percent capture and percent destruction or removal), and
- (3) Control equipment downtime during the reporting year and during the peak ozone season.

g. Emissions information, including:

- (1) Actual annual and typical ozone season daily emissions of VOC and NO<sub>x</sub> for each process. Emissions should be reported in tons per year and in pounds per day.
- (2) A description of the emission calculation method and, if applicable, emission factor(s) used, and
- (3) The calendar year for which emissions are reported.

h. Any additional information required by the Director to document the facility's emission statements.

**DD. Miscellaneous Conditions**

1. This permit may be modified, revoked, reopened, reissued or terminated for cause. The filing of a request, by the permittee, for a permit modification, revocation and reissuance or termination or of a notification of planned changes or anticipated noncompliance does not release the permittee from the conditions of this permit. [29.6.8(c)(3)]
2. Any application for a permit revision need only submit information related to the proposed change. [29.4.3(c)]
3. Terms not otherwise defined in this permit shall have the meaning given to such terms in 40 CFR 63.2, the Clean Air Act as amended in 1990 or the referenced regulation as applicable.
4. Where more than one condition in this permit applies to an emission unit and/or the

entire facility, the most stringent condition shall apply.

### SECTION III. SPECIAL CONDITIONS

#### A. Ozone-depleting Substances

This section contains air pollution control requirements that are applicable to this facility, and the United States Environmental Protection Agency enforces these requirements.

1. The permittee shall comply with the standards for labeling of products using ozone-depleting substances pursuant to 40 CFR Part 82, Subpart E:
  - a. All containers containing a class I or class II substance that is stored or transported, all products containing a class I substance, and all products directly manufactured with a class I substance must bear the required warning statement if it is being introduced into interstate commerce pursuant to 40 CFR 82.106.
  - b. The placement of the required warning statement must comply with the requirements of 40 CFR 82.108.
  - c. The form of the label bearing the required warning statement must comply with the requirements of 40 CFR 82.110.
  - d. No person may modify, remove or interfere with the required warning statement except as described in 40 CFR 82.112.
2. The permittee shall comply with the standards for recycling and emissions reduction pursuant to 40 CFR Part 82, Subpart F:
  - a. Persons opening appliances for maintenance, service, repair or disposal must comply with the required practices of 40 CFR 82.156.
  - b. Equipment used during the maintenance, service, repair or disposal of appliances must comply with the standards for recycling and recovery equipment of 40 CFR 82.158.
  - c. Persons performing maintenance, service, repair or disposal of appliances must be certified by an approved technician certification program pursuant to 40 CFR 82.161.
  - d. Persons disposing of small appliances, MVACs and MVAC-like appliances (as defined in 40 CFR 82.152) must comply with recordkeeping requirements of 40 CFR 82.166.

- e. Persons owning commercial or industrial process refrigeration equipment must comply with the leak repair equipment requirements of 40 CFR 82.156.
  - f. Owners/operators of appliances normally containing 50 or more pounds of refrigerant must keep records of refrigerant purchased and added to such appliances pursuant to 40 CFR 82.166.
- 3. If the permittee manufactures, transforms, imports or exports a class I or class II substance, the permittee is subject to all the requirements as specified in 40 CFR Part 82, Subpart A, "Production and Consumption Controls".
  - 4. The permittee shall be allowed to switch from any ozone-depleting substance to any alternative that is listed in the Significant New Alternatives Program (SNAP) promulgated pursuant to 40 CFR Part 82, Subpart G, "Significant New Alternatives Policy Program".

**B. Prevention of Accidental Releases**

This section contains air pollution control requirements that are applicable to this facility, and the United States Environmental Protection Agency enforces these requirements.

Your facility is subject to the requirements of the General Duty Clause, under 112(r)(1) of the CAA Amendments of 1990. This clause specifies that owners or operators of stationary sources producing, processing, handling or storing a chemical in any quantity listed in 40 CFR Part 68 or any other extremely hazardous substance have a general duty to identify hazards associated with these substances and to design, operate and maintain a safe facility, in order to prevent releases and to minimize the consequences of accidental releases which may occur.